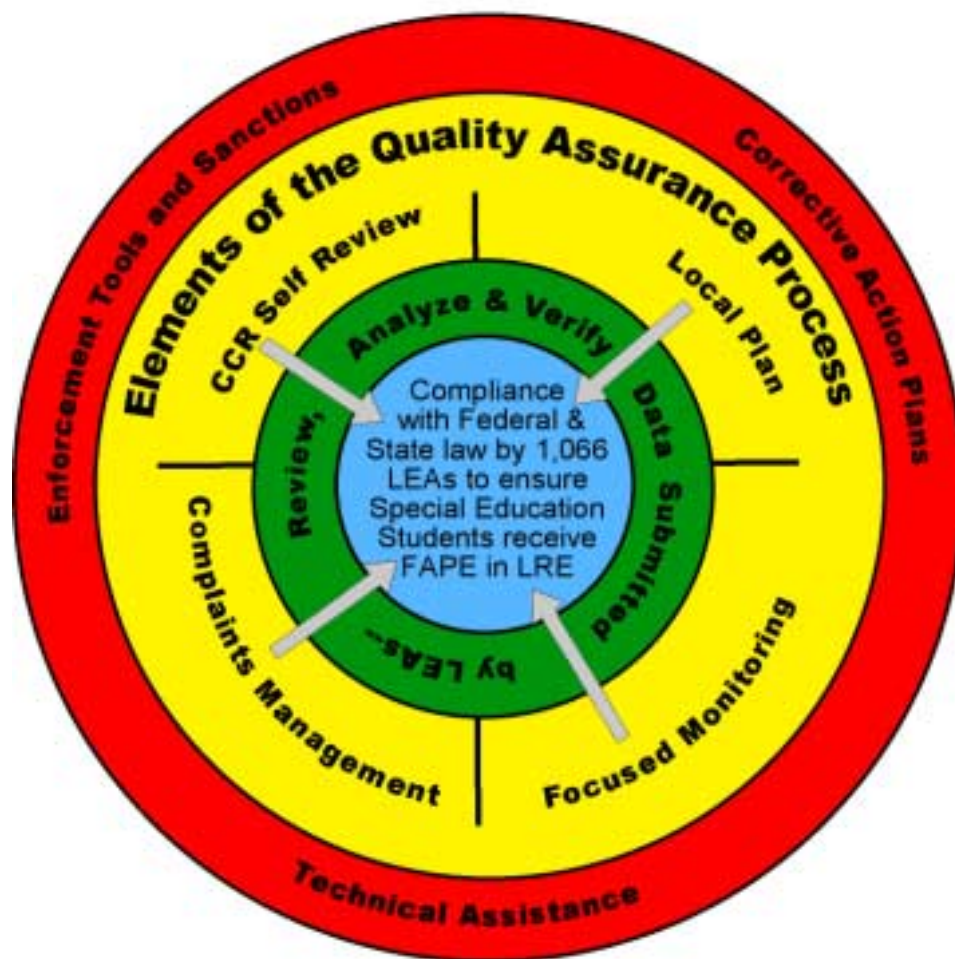


California Department of Education Special Education Division

Compliance Monitoring System Quality Assurance Process



California Department of Education

Supplemental Report of the 2001 Budget Act Special Education Compliance Monitoring System September 1, 2001 Report

Executive Summary

It is the intent of the Legislature in the Supplemental Report Language of the 2001 Budget Act that the California Department of Education (CDE) in conjunction with the Legislative Analyst's Office and the Department of Finance, prepare two Special Education Compliance Monitoring System Reports. The "Description of the Existing System" is the first of the two reports.

The Special Education Division is beginning its third year of implementation of the new Compliance Monitoring System or Quality Assurance Process (QAP) as it is commonly known. This brief report contains narrative and graphic representations illustrating how the components are integrated to effectively address the deficiencies of the old monitoring system and to achieve positive results while ensuring compliance for Individuals with Disabilities.

The first part describes the four **Essential Components**. The Local Plan, the Coordinated Compliance Self Review, the Compliance Complaints and the Focused Monitoring (which includes each specific monitoring activity) are described. These four components work together in an integrated manner to show evidence of compliance or noncompliance in the 1,066 school districts in California.

In the next piece, the **Technical Assistance and Training** provided by the Division's consultants and through the State Improvement Grant is described. The training and technical assistance provided through both of these venues is tied to areas of noncompliance found during reviews, investigations, local plan and self review submissions, and onsite follow up visits. **The Number, Type and Frequency** of reviews are described for each of the four components. The number of districts monitored under each component and how often a monitoring activity occurs is delineated. **The Staffing Allocation** piece discusses the total number of positions shown by unit and by the functions they carry out in the units under each of the four components.

The **Key Performance Indicators** used in the selection of the districts for monitoring 2001-02 is described. The historical overview discusses the Stakeholder Group and how that decision making body determined the KPIs used in the selection. This piece also describes the statistical basis and how districts are grouped for selection.

The final piece identifies which of the 813 **Focused Monitoring Requirements are tied to Compliance with Federal and which are tied to State laws**. Due to its size it is available upon request.

Essential Components of the Compliance Monitoring System – Quality Assurance Process

In 1999-2000, The Special Education Division introduced a new system for monitoring compliance and improving educational outcomes for students with disabilities. The change from process to outcome, from paper compliance to substantive compliance, and from routine reviews to data informed focused reviews, is the result of many contributing factors. A history of long standing noncompliance, litigation, the emphasis on high standards, assessment and accountability, legislative concerns about efficacy of special education and a major shift in the reauthorization language of IDEA 1997 all caused the Division to rethink its system of monitoring and led to the development of the Quality Assurance Process (QAP).

The purpose of the QAP is to achieve positive results for individuals with disabilities in California while ensuring compliance with federal laws and regulations. The IDEA ensures students with disabilities a free appropriate public education in the least restrictive environment. The test to determine whether this is occurring is through an effective monitoring system which looks at both procedural compliance and educational benefit.

The QAP was developed as the structure or framework for this purpose. It is a data informed process and is composed of four major or essential components. The four major components work together in an integrated way to provide useful information and evidence of compliance.

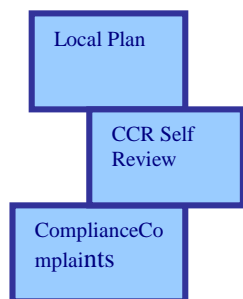
Local Plan

The first component is the Local Plan which is submitted by each Special Education Local Plan Area (SELPA) on a four year cycle. The Plan describes the policies, procedures, service delivery system developed and implemented by each SELPA as required by the AB602 funding model. It describes the array of programs and services available to meet the assessed needs of student with disabilities within each SELPA. Beginning in 2003, the budget and service delivery plans are required to be submitted annually. The Plan also assures the CDE that the SELPA meets and fulfills all federal and state legal obligations under the IDEA and California laws and regulations.

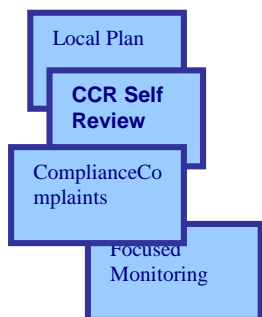
Local Plan

CCR Self Review

The second component is the Coordinated Compliance Self Review. One fourth of all Local Education Agencies (LEAs) submit a self review annually. The S-R instrument requires the LEA to assess themselves to determine compliance with state and federal laws and regulations. They conduct intensive pupil record reviews; organize and lead structured focus groups with parents/guardians of students with disabilities district wide and submit to the Division/Department student level data related to specific special education services provided to all these students.



The third component is Compliance Complaints. Review of the number of complaints filed and findings from investigations gives the Division/Department critical information that is useful in the review of LEAs. The data signals patterns that are part of the district's profile. Corrective actions as a result of noncompliance and enforcement activities, including sanctions rendered if the noncompliance persists, are tracked by the Division's Focused Monitoring and Technical Assistance (FMTA) units.



The fourth component is Focused Monitoring which includes all monitoring activities performed by Division staff with both public and nonpublic entities. The types of monitoring reviews include Verification, Facilitated, and Certification Reviews which are specific to nonpublic schools and agencies.

Identification of noncompliant activity is addressed in a variety of ways. The enforcement tools include Corrective Action Plans (CAPs), Sanctions and Technical Assistance. The CAPs are developed for each instance of noncompliance identified in complaint investigations, monitoring reviews, and the self reviews. They are monitored for completeness and timely resolution through the corrective action data base. Follow-up to prior corrective actions are reviewed in subsequent on-site visits and monitoring.

Sanctions are imposed if egregious and continuing noncompliance occurs over a period of time. Sanctions include:

- ✓ Withholding of federal Part B dollars
- ✓ Non-approval of Local Plans causing a cessation of federal and state dollars
- ✓ Requiring local boards of education to hold public hearing to address serious noncompliance issues
- ✓ Requesting a Writ of Mandate from a state court to order compliance with a corrective action plan.

Technical Assistance and Training is provided on an individual, regional and statewide basis. Technical assistance and training activities are related to specific issues of noncompliance that are identified locally, regionally or are of statewide concern. Intensive, long-term technical assistance to support systems change is made available to those districts identified and selected for the Facilitated monitoring reviews.

Training and Technical Assistance Tied to Noncompliance



Technical Assistance (TA) is available in each of the essential components as a resource to facilitate and ensure compliance. It is given in the development of the Local Plan, during the process of the CCR Self-Review, and/or in the implementation of corrective action plans related to Compliance Complaints, and Focused Monitoring which includes all monitoring activities. A Local Education Agency (LEA) can request TA and/or training that is specialized and related to areas of noncompliance. This customized TA and training is specific to the LEA's situation and is designed and supervised by the regional Division consultant assigned to that LEA.

Technical assistance and training requested by districts is generally clustered in the following areas which are closely aligned with the 1999-2000 and 2000-01 noncompliance findings trends:

- Evaluation procedures
- Prior notice / procedural safeguards
- Eligibility determination
- IEP development
- Access to the core curriculum
- General education and special education service delivery

During 2000-01, over 135 days of TA and training was delivered to 32 different districts who were monitored. The Division also sponsored regional field meetings during 1999-2000 and 2000-01. Over 1000 parents, teachers, administrators and organization representative attended meetings which covered the following themes:

- Standards-based instruction
- Literacy
- Positive behavior supports in a safe school environment
- Interagency
- Assessment
- Quality Assurance Process / compliance monitoring
- Infant toddler and preschool issues

In addition to the training and technical assistance provided by the Division, support under the State Improvement Grant (SIG) is also available to LEAs through a contract with Sonoma State University (CalSTAT). The SIG supports and develops partnerships with schools and families by providing training, technical assistance, and resources to both special education and general education. More information about the SIG and training topics in literacy, positive behavior intervention in a safe school environment, education collaboration, Transition, IDEA '97, family partnerships and Least Restrictive Environment are available at <http://www.calstat.org/cores.html> or <http://www.calstat.org>

Number, Type and Frequency of Reviews in the Compliance Monitoring System Quality Assurance Process

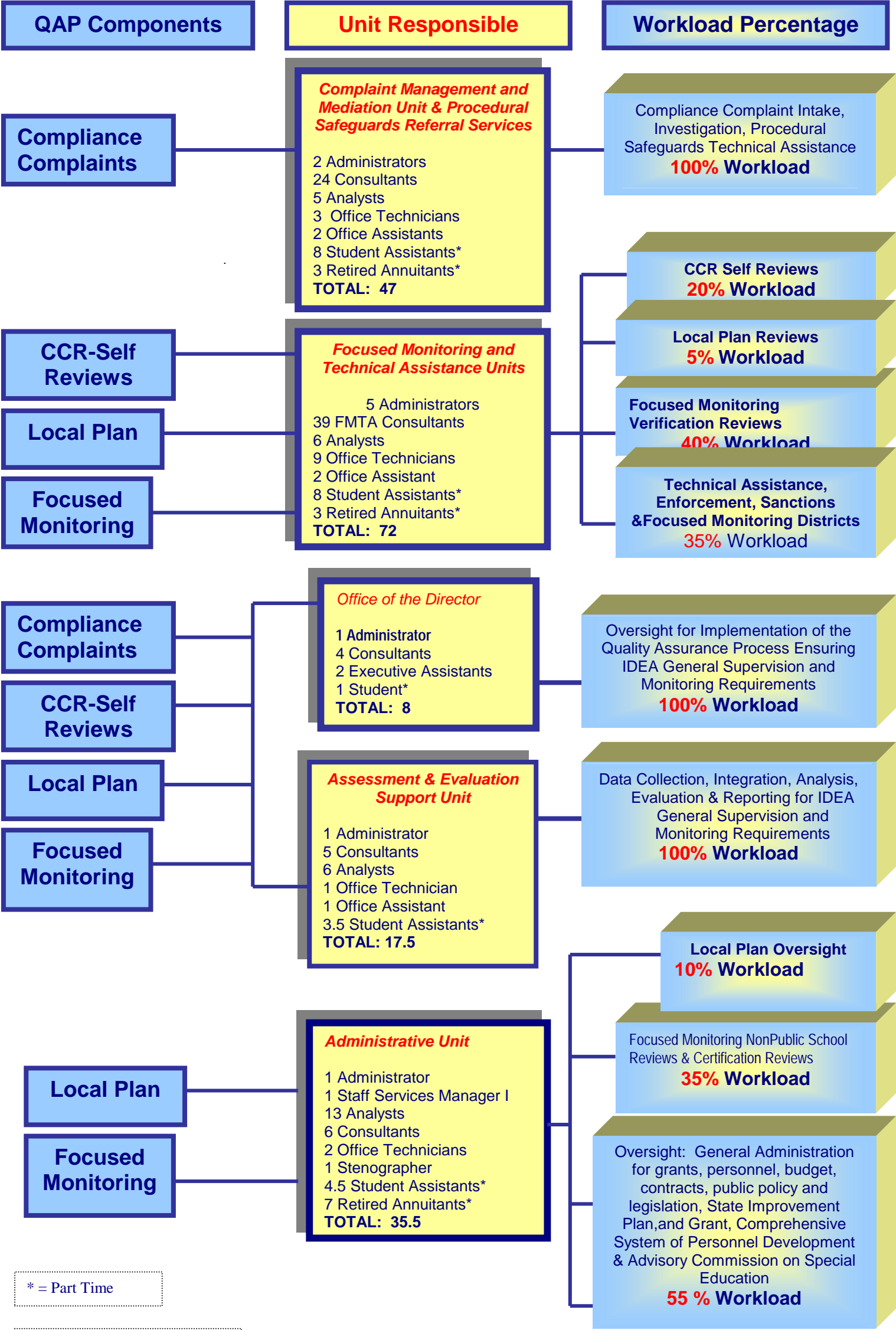
Quality Assurance Component	Recipient	Number Conducted	Frequency	Legislative Authority	SED Technical Assistance
<p>Coordinated Compliance Review-Self Review: SED participates with CDE in the CCR self review institutes. The special education self review will require districts to conduct the following:</p> <ul style="list-style-type: none"> ▪ intensive pupil record reviews; ▪ district structured focus group with parents/guardians of students with disabilities; ▪ IEP Implementation & Service Data (Submit student level data on specific services ▪ KPI Query <p>District self-review reports are submitted in hard copy and on disc to SED by June 30 of the current school year.</p>	Local Education Agencies	Approx. 250	Conducted annually	<p>IDEA-CDE's supervision and monitoring system</p> <p>34 CFR 300.141 SEA responsibility for general supervision 34 CFR 300.600 SEA responsibility for all educational programs 34 CFR 300.137 Performance Goals & Indicators 34 CFR 300.125 Child Find 34 CFR 300.300 FAPE 34 CFR 300.556 LRE 34 CFR 300.128 IEP</p>	<p>Annual Training Institutes conducted September and October by CDE/SED staff for participating public education agencies.</p> <p>Ongoing technical assistance provided throughout the year based on need of public agency.</p>
<p>Local Plan: Special Education Local Planning Areas (SELPA's) submit their local plan to SED that describes policies and procedures in complying with IDEA and other state laws and regulations. This document ensures compliance and determines eligibility for local districts to receive IDEA grant awards annually. As required under AB 602, all SELPA's will be submitting annual service delivery plans and annual budget plans by 2003.</p> <p>Submitted to CDE in draft for review. CDE reviews, district makes changes, as needed, final copy signed by appropriate local district, county and CAC representative. CDE forwards to State Superintendent of Public Instruction for final approval.</p>	The number of SELPA's range from 20-30 per Local Plan Cycle (Cycles A, B, C, D)	Currently covers one-fourth or more of districts in the state.	Conducted annually (different SELPA in Cycles A-D)	<p>IDEA-CDE's supervision and monitoring system including LEA eligibility to receive federal funding and ensure compliance with state standards.</p> <p>Same as above and..</p> <p>34 CFR 300.197 LEA & State Agency Compliance to meet... 34CFR 300. 220-250</p>	<p>Instructions and review guides provided the Spring prior to the revised Local Plan draft submission to CDE.</p> <p>Ongoing technical assistance provided throughout the year based on need of public agency</p>

Quality Assurance Component	Recipient	Number Conducted	Frequency	Legislative Authority	SED Technical Assistance
Complaints Management: As required under IDEA, SED investigates and issues a final written report within 60 days regarding all allegations of noncompliance with IDEA. This data, the majority at a student level, tracks all allegations, corrective actions, due dates, and enforcement activities, including sanctions as appropriate. Provides technical assistance on procedural safeguards (Procedural Safeguards and Referral Service-PSRS)	Any individual or organization may file a compliance complaint	# Annual 1200 Compliance Complaints & 25,000 PSRS Unit contacts (statewide) in 2000-2001	Investigation and final reported issued within 60 days of written complaint.	IDEA-CDE's supervision and monitoring system 34 CFR 300.660-662	SED provides written materials to complainant and public education agency with each complaint. Resources on CDE website at http://cde.ca.gov/spbranch/sed
Focused Monitoring-Verification Reviews: SED conducts intensive compliance reviews based on multiple sources of compliance history; student level data from the California Special Education Management information system (CASEMIS) related to SED goals and Key Performance Indicators and other data submitted to SED (Personnel Data). Based on data, reviews include investigatory methods of: interviews with staff and administrators (general and special education) and parents to ensure IEP implementation and IDEA compliance; document review (policies and procedures); Parent Input meeting with parents/guardians of students with disabilities; review of prior noncompliance; and review of student records (randomized sample reflecting district). The verification review answers the following questions: <ul style="list-style-type: none"> Are the data the district reports to the state consistent with information found in student records? Does a review of student records, parent and staff interviews, document reviews, and data regarding KPIs indicate that the district is in compliance with state and federal special education laws? Are selected students' Individualized Programs (IEPs) implemented as written? Has the district corrected prior noncompliance items so that they do not reoccur? 	Public Education Agencies including student's district of residence and district of service	2001-2002 40 focused reviews (new) 55 Follow Up reviews from 2000-2001; 44 Follow Up reviews from 1999-2000 2000-2001 55 focused reviews conducted and 54 Follow up reviews 1999-2000 54 focused reviews conducted	Conducted throughout the school year	IDEA-CDE's supervision and monitoring system 34 CFR 300.141 SEA responsibility for general supervision 34 CFR 300.600 SEA responsibility for all educational programs 34 CFR 300.137 Performance Goals & Indicators 34 CFR 300.125 Child Find 34 CFR 300.300 FAPE 34 CFR 300.556 LRE 34 CFR 300.128 IEP	SED provides training and technical assistance prior to the verification review, during the review, and after the review.

Quality Assurance Component	Recipient	Number Conducted	Frequency	Legislative Authority	SED Technical Assistance
<p>Focused Monitoring Districts: SED originally selected 19 of 40 volunteer districts for student outcome improvement based on Key Performance Indicators (KPIs). These districts receive SED technical assistance over a 3-year period to improve student results in addition to compliance with IDEA through a data informed-systems change approach.</p>	Selected Voluntary Districts	For 2001-2002 19 Voluntary Districts.	Three year project that began in 1999-2000.	<p>California Legislature Budget Act 1999, 2000 and 2001. IDEA-CDE's supervision and monitoring system 34 CFR 300.141 SEA responsibility for general supervision 34 CFR 300.600 SEA responsibility for all educational programs 34 CFR 300.137 Performance Goals & Indicators 34 CFR 300.125 Child Find 34 CFR 300.300 FAPE 34 CFR 300.556 LRE 34 CFR 300.128 IEP</p>	SED consultants work in an ongoing manner year long with these districts. Districts have received special training through CALSTAT for systems change and key content areas of IDEA.
<p>California Special Education Management Information System (CASEMIS) Monitoring: CDE-Special Education Division, receives data certified by all public education agencies in California twice a year. CASEMIS data is one data source used by SED to generate Key Performance Indicators. In addition, SED monitors timelines for annual IEP reviews and 3 year reevaluations. Specific data is reported to the U.S. Department of Education as required under IDEA. At a minimum, CDE must provide the U.S. Department of Education data regarding: child find, Least Restrictive Environment (LRE), Assessment, Graduation rates, and drop out rates.</p> <p>Key Performance Indicators (KPIs) relate to required reporting regarding Performance Goals and Indicators in addition to other areas of compliance monitoring and reporting required in IDEA.</p>	All public education agencies	1,066	December 1 June 30	<p>IDEA-CDE's supervision and monitoring system 34 CFR 300.141 SEA responsibility for general supervision 34 CFR 300.600 SEA responsibility for all educational programs 34 CFR 300.137 Performance Goals & Indicators 34 CFR 300.125 Child Find 34 CFR 300.139 Reports related to assessments 34 CFR 300.300 FAPE 34 CFR 300.556 LRE 34 CFR 300.128 IEP</p>	<p>SED provides software and training to all public education agencies participating in CASEMIS.</p> <p>Updated information is provided to all parties through email and on the CDE website http://cde/ca.gov/spbranc/sed</p>

Quality Assurance Component	Recipient	Number Conducted	Frequency	Legislative Authority	SED Technical Assistance
NonPublic Schools/Agencies Monitoring: SED conducts onsite monitoring , provides written reports and disseminates standards regarding NPS/NPA; provides opportunities for NPS/NPA to participate in development/review of standards. Monitoring ensures IDEA compliance through onsite reviews of nonpublic schools. Certification of NPS/NPA is conducted by SED to meet required certification standards. (Standard requirements – see E.C. 56365 – E.C. 56366.9)	Nonpublic Schools	Approx. 120 annual onsite reviews 1200 annual Certification of NPS/NPA 2001-2002 Follow Up reviews for 656 district Noncompliant findings; 161 NPS Noncompliant findings (certification noncompliance)	Reviews conducted throughout school year.	Part of IDEA-CDE's supervision and monitoring system 34 CFR 300. 401-402 Monitoring Responsibility of SEA and 34 CFR 300.141 SEA responsibility for general supervision 34 CFR 300.600 SEA responsibility for all educational programs 34 CFR 300.137 Performance Goals & Indicators 34 CFR 300.125 Child Find 34 CFR 300.300 FAPE 34 CFR 300.556 LRE 34 CFR 300. 128 IEP	SED staff provides training and technical assistance prior to the review, during the review, and after the review.
CYA Special Monitoring: As per SB 505, SED will conduct a verification review for selected California Youth Authority and train CYI in self-review procedures for compliance with IDEA.	California Youth Authority	Approx. 4 annually	Reviews conducted through school year.	Part of IDEA-CDE's supervision and monitoring system 34 CFR 300.141 SEA responsibility for general supervision 34 CFR 300.600 SEA responsibility for all educational programs 34 CFR 300.137 Performance Goals & Indicators 34 CFR 300.125 Child Find 34 CFR 300.300 FAPE 34 CFR 300.556 LRE 34 CFR 300. 128 IEP	SED staff provides training and technical assistance prior to the review, during the review, and after the review.
*TOTAL (Does not include		28,645			

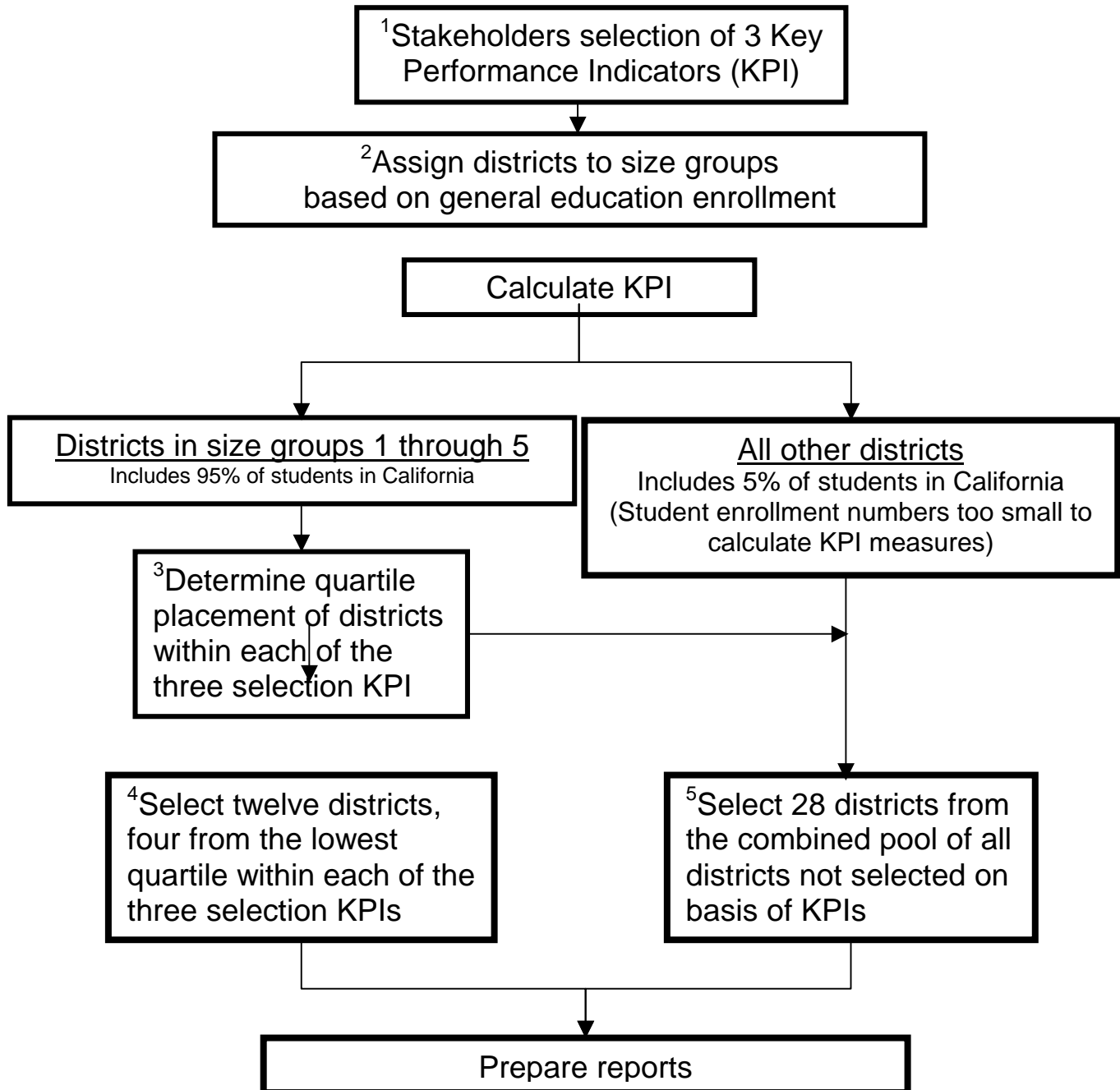
Staffing Allocations
for
Compliance Monitoring System – Quality Assurance Process



* = Part Time

Wednesday, August 22, 2001

Key Performance Indicators Used in the Selection of Districts for 2001-2002



Selection of Forty Districts for Verification Review in 2001-2002

In June 2001, the California Department of Education, Special Education Division, Stakeholders Group, a broad-based group of 30 individuals representing parents, teachers, administrators, advocacy and services organizations, selected the top three Key Performance Indicator's (KPI) for the 2001-2002 Verification Review selection.

Three of the available KPI measurements were used in the selection process for 2001-2002. ¹These three measures, identified by the stakeholders as the areas of focus this year for students receiving special education or related services are:

- 1) percent of students educated with their non-disabled peers 80% or more of the time,
- 2) percent of test-takers scoring at or above the 50th percentile on the Stanford 9 battery of exams and,
- 3) mean scale score on the Stanford 9 reading examinations at the 4th, 7th or 10th grade.

²Districts were assigned to enrollment groups based on general education enrollment. These groups are numbered from 1-5 with 1 being the largest and 5 the smallest. Districts are assigned to comparable groupings based on the size of the general education (GE) enrollment and the type of district (High School, Elementary or Unified). Because KPI measurement calculations are not made when the base number falls below 20 students, only districts in size groups one through five are included in the selection of districts. Groups one through five include 95% of the students in California. Districts in the remaining groups are included in the random selection process. Because student records for districts undergoing verification monitoring are randomly selected from the district of residence, students served by county and state operated programs and schools are included in the verification review of their district of residence.

Twelve of the districts were selected because their Key Performance Indicator (KPI) measurements were within the lowest quartile among their group of comparable districts. ³Calculations were made for all districts in groups one through five on each of the three measures and districts were arrayed into quartiles within each group and type in the order of their measure calculation. Districts in the lowest quartile (quartile one) in each group and type were assigned a number based on their relative position within their group. The district codes, position numbers and measurement calculations from all twelve group-type arrays were placed into common pools for each measure. Within each measure, districts were arrayed by position number and then by measurement calculation. ⁴Four districts were selected from the among the lowest position numbers within each measure. Selection orders were adjusted to ensure that districts of all three types were included.

⁵The remaining 28 districts were randomly selected from the pool of districts not selected on the basis of KPI measures. Districts that were selected for monitoring during the previous two rounds and districts that submitted comprehensive self-reviews during 2000-2001 were excluded from the selection process for 2001-2002. All districts not selected on the basis of one of the KPI measures were ordered randomly into a common pool. Districts were then selected on the basis of their random order number.

Adjustments were made during the selection process to ensure: the workload was balanced among the five Special Education Division (SED) Focused Monitoring and Technical Assistance (FMTA) regions, at least one district was selected from each size group and type, the distribution of selected district general education populations reflected the distribution across California, and the selections were evenly distributed across quartiles two, three and four of the three KPI selection measure.